



**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

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09-10-07
04:59 PM

Order Instituting Rulemaking to Implement
the California Renewables Portfolio Standard
Program.

Rulemaking 04-04-026
(Filed April 22, 2004)

**COMMENTS OF THE CALIFORNIA WIND ENERGY ASSOCIATION, THE GREEN
POWER INSTITUTE AND THE CONCENTRATED SOLAR POWER ALLIANCE ON
THE PROPOSED DECISION OF ALJ SIMON ON THE CALIFORNIA WIND ENERGY
ASSOCIATION'S AND THE GREEN POWER INSTITUTE'S PETITION FOR
MODIFICATION OF DECISION 05-12-042**

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September 10, 2007

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I. INTRODUCTION

Pursuant to Rule 14.3 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, the California Wind Energy Association ("CalWEA"), the Green Power Institute ("GPI") and the Concentrated Solar Power Alliance ("CSPA") respectfully submit these comments on Administrative Law Judge ("ALJ") Simon's Proposed Decision granting CalWEA's and GPI's Petition for Modification of Decision 05-12-042 ("Petition to Modify").

II. DISCUSSION

A. The Commission Should Adopt ALJ Simon's Proposed Decision

CalWEA, GPI and CSPA recommend that the Commission adopt ALJ Simon's Proposed Decision. As correctly stated in the Proposed Decision, the time is right to implement a GHG adder in the MPR, and it is reasonable to include a GHG adder in the 2007 MPR under the assumption that GHG emissions will have real economic costs beginning in 2012. Additionally, CalWEA, GPI and CSPA agree that the role of a GHG adder should be examined along with

broader MPR questions in a separate proceeding for the MPR for 2008 and later years. Thus, CalWEA, GPI and CSPA recommend that the Commission adopt the Proposed Decision.

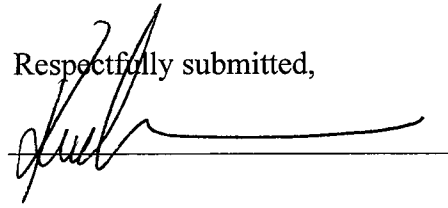
B. The Commission Should Coordinate Its Consideration of the Proposed Decision With Its Consideration of Draft Resolution E-4118.

On August 20, 2007, ALJ Simon issued the Proposed Decision, which adopts a GHG adder for the 2007 MPR. On August 23, 2007, Energy Division issued Draft Resolution E-4118, which proposes the 2007 MPRs. Draft Resolution E-4118, however, did not include a GHG adder for the 2007 MPR, and it did not include any discussion of ALJ Simon's Proposed Decision or CalWEA's and GPI's Petition to Modify. Thus, the Commission should coordinate its adoption of the Proposed Decision and Draft Resolution E-4118 in order to ensure that the adopted GHG adder is included in Resolution E-4118 and the 2007 MPR. CalWEA, GPI and CSPA are also concurrently filing comments on Draft Resolution E-4118 to this effect.

III. CONCLUSION

For the foregoing reasons, the CalWEA, GPI, and CSPA recommend that the Commission adopt the Proposed Decision. CalWEA, GPI and CSPA also recommend that the Commission coordinate action on the Proposed Decision with its consideration of Draft Resolution E-4118 so that the adopted GHG adder is in fact included in the 2007 MPR.

Respectfully submitted,



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Certificate of Service

I hereby certify that I have this day served a copy of the

Comments of the California Wind Energy Association, the Green Power Institute and the Concentrated Solar Power Alliance on the Propose Decision of ALJ Simon on the California Wind Energy Association's and the Green Power Institute's Petition for Modification of Decision 05-12-042

on all known parties to R.04-04-026 and R.06-02-012 by sending a copy via electronic mail and by mailing a properly addressed copy by first-class mail with postage prepaid to each party named in the official service list without an electronic mail address.

Executed on September 10, 2007 at San Francisco, California.


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